Accused languishing in Jails without conviction

†1710. DR. PRABHA THAKUR: Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether many accused persons, without being convicted, are languishing in various jails of the country for the last several years;

(b) whether there is any fixed time-frame or rule, for releasing such accused persons from jails; and

(c) if so, the details thereof and if not, the reasons therefor?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI MANIKRAO GAVIT): (a) Yes, Sir.

(b) and (c) A new section *viz* 436A of the Code of Criminal Procedure, 1973 has been inserted in the Code to provide that where an undertrial prisoner other than the one accused of an offence for which death has been prescribed as one of the punishments, has been under detention for a period extending to one-half of the maximum period of imprisonment, provided for the alleged offence, he should be released on his personal bond with or without sureties. It also provides that in no case will an undertrial prisoner be detained beyond the maximum period of imprisonment for which he can be convicted for the alleged offence.

Section 436 (1) of the Code of Criminal Procedure, 1973 has also been amended to make a mandatory provision that if the arrested person is accused for a bailable offence and he is an indigent and cannot furnish surety, the Court shall release him on his execution of bond without sureties.

Naxal activities in Dantewada

1711. KUMARI NIRMALA DESHPANDE: Will the Minister of HOME AFFAIRS be pleased to state:

(a) how many villages in Dantewada district of Chhattisgarh are affected by Naxalite activities and since when;

(b) whether the State Government is unable to provide education and health facilities to these villages; and

†Original notice of the question was received in Hindi.